IN THE HIGH COURT OF CHHATTISGARH
AT BILASPUR

WRIT PETITION No. 2800 / 2003

PETITIONER : Samaru Das Mahant,
S/o Ashok Das Mahant,
aged about 20 years,
R/o Sakin Bhantapara,
Bhojpur Champa, Thana Champa,
Distt. Janjgir-Champa (C.G.)

P. R. No. 2651/03
Presented by Shri Surender Sharma
dated 01/09/03

VERSUS

RESPONDENTS :

1. State of Chhattisgarh
Through : Secretary
Department of Home Affairs,
Govt. of Chhattisgarh,
D.K.S. Bhawan, Raipur (C.G.)

2. Superintendent of Police
Distt. Janjgir-Champa (C.G.)

3. Station House Officer,
Thana Champa,
Distt. Janjgir-Champa (C.G.)

4. District Magistrate,
Distt. Janjgir-Champa (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(45)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ....wp 2800/07.... सन् 200

.....विरुद्ध.....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

9-9-2003

Shri Guruden Sharan, counsel for the petitioner.

Shri Praveen Das, Panel Lawyer for the State/respondents.

Heard both the counsel.

By this petition filed under Article 226/227 of the Constitution of India, the petitioner seeks to challenge the order dated 25th August 2003 passed in criminal case No. 3/2000, State of Chhattisgarh Vs. Samarudas Mahant by the District Magistrate, Janjgir-Champa by which the order of externment against the present petitioner has been passed.

At the outset, learned counsel for the State/respondents raised the preliminary objection that the Section 9 of Chhattisgarh Rajya Suraksha Adhiniyam, 1990 provides for an appeal against the order of the District Magistrate and this order has been passed recently on 25th August 2003 and the petitioner has not preferred an appeal against the order which is the statutory right of the petitioner.

Having heard the learned counsel for the parties, since the efficacious alternative remedy is available to the petitioner and the petitioner could have filed appeal before the State Government under Section 9 of the Act which he has not preferred, therefore, no relief can be granted by way of this writ petition.

If the petitioner files an appeal before the respondents/State then the State will decide the appeal expeditiously as early as possible.

With these observations, the writ petition is disposed of.

XI-HC-22

(46)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक Cop 280/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Consequently, M.(W.)P. No. 2561/2003 and I.A. No.8394/2003 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	